

Louisiana Public Service Commission



POST OFFICE BOX 91154
BATON ROUGE, LOUISIANA 70821-9154
www.lpsc.louisiana.gov

Telephone: (225) 342-9888

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December 27, 2019

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Deputy Undersecretary

VIA EMAIL

RFP 19-25 DOCKET NO. S-35443, Entergy Louisiana, LLC-Application for Authorization to Change Rates by Filing Market Value Demand Response Rider Schedule MVDR.

To all LPSC qualified consultants:

Enclosed please find a Request for Proposals ("RFP") for **outside independent technical consultant** issued by the Louisiana Public Service Commission for the above referenced subject. If your firm is interested in submitting a proposal, please review the RFP carefully to determine whether your firm meets the specific requirements to qualify for this representation.

All Proposals must include a showing that your firm possesses the requisite qualifications and experience to represent the Commission in this matter. Also, please note that all Proposals, including the **original, plus (5) five copies, and an electronic copy** must be received on or before **Thursday, January 16, 2020 at 4:30 p.m.** Selection of a consultant is anticipated to take place at the Commission's **January 22, 2020 Business and Executive Session.**

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Bowman".

Kathryn H. Bowman
Executive Counsel

Enclosure

RFP 19-25
LOUISIANA PUBLIC SERVICE COMMISSION
REQUEST FOR PROPOSALS (“RFP”)
December 27, 2019

DOCKET NO. S-35443 – Entergy Louisiana, LLC – Application for Authorization to Change Rates by Filing Market Value Demand Response Rider Schedule MVDR.

The Louisiana Public Service Commission (“Commission” or “LPSC”), in accordance with the requirements of the LPSC General Order dated November 10, 2014 regarding the selection of contract employees to represent the Commission (the “Contract Order”), issues this Request for Proposals (“RFP”) to **outside consultants** who will assist the Commission in its review of Entergy Louisiana, LLC’s (“ELL”) Application for authorization to change rates by filing a Market Value Demand Response Rider Schedule MVDR (“Application”).

I. Overview

On December 16, 2019, ELL filed its Application pursuant to General Order dated July 1, 2019 (Docket No. R-34738) seeking authorization of a new Market Value Demand Response Rider (“Schedule MVDR”). The proposed Schedule MVDR would set forth parameters under which the Company’s end-use customers can participate in the Midcontinent Independent System Operator, Inc. (“MISO”), demand response markets as well as how Aggregators of Retail Customers (“ARCs”) can operate in those same markets if they wish to engage with ELL customers. ELL’s Application was published in the Commission’s Official Bulletin dated December 27, 2019 for a twenty-five (25) day intervention period.

Per ELL’s Application, and pre-filed testimony, the request for a new Demand Response Schedule would protect all customers by ensuring that proper Commission jurisdiction is maintained, costs and benefits are allocated fairly, and long-term planning and reliability are not adversely impacted by the participation of customers and ARCs representing customers in MISO’s DR markets. Schedule MVDR represents one opportunity for customers to take advantage of operational flexibility, better manage their energy costs, and provide benefits to the broader electric grid. This Application is also based on the Company’s interpretation of Commission General Order dated March 7, 2019 (Docket No. R-34948)¹ and in connection with the Commission’s Docket No. R-35136,² ELL committed to develop and offer a new schedule to facilitate demand response participation in the MISO markets.

¹ Docket No. R-34948, Louisiana Public Service Commission, in re: *Rulemaking to study the implications of participation of Aggregators of Retail Customers to determine whether, and under what conditions, such activity should be allowed in the Louisiana Public Service Commission’s jurisdiction* (“ARC General Order”).

² Docket No. R-35136, Louisiana Public Service Commission, in re: *Rulemaking to determine need for Rate Schedules and programs offering Demand Response Products, Development of such Rate Schedules and programs, Determination of customer participation in such programs, Allocation and recovery of program costs, and whether such programs shall be mandatory or voluntary for Utilities as set forth in Section 3 of the rule adopted in General Order dated march 7, 2019 in Docket No. R-34948.*

II. Scope of Representation

Bidders will assist in-house Staff (counsel, auditing, and utilities) with its analysis of ELL's Application to establish a new Schedule MVDR. Such assistance includes, but is not limited to: reviewing the filing, pre-filed direct testimony, and accompanying support; assist in drafting, reviewing, and responding to discovery; assist in preparing direct and cross-answering testimony; aid in drafting pleadings and motions; appear at hearings and open meetings; participate in depositions; assist with trial preparations, including assistance with drafting cross examination of witnesses; review and analyze stipulation terms; and, participate in/conduct informal meetings with the parties and Commissioners as necessary. All proposals shall include an outline of a plan of action for conducting the review of ELL's request, including the activities described above.

The Commission and its Staff shall have the right to determine how the tasks will be carried out. In addition, all proposals shall be accompanied by a professional firm resume indicating the qualifications and experience necessary to meet the requirements of this RFP. Deviations from the requirements contained herein, or conditional bid amounts may result in rejection of the bid as non-conforming.

III. Period of Representation

This RFP covers a period of representation of approximately 6-8 months. This is merely an estimate and the Commission makes no representations as to the accuracy of the Period of Representation.

IV. Minimum Requirements

To be considered, all bidders must meet the following minimum requirements in addition to those provided in this Commission's General Order dated November 10, 2014. Consideration will be given to factors which indicate degrees of competence such as the amount of practical experience in the field of public utility practice, and similar practice before this or other regulatory agencies, in addition to the bidder's knowledge of Louisiana ratemaking standards and regulatory law. Bidders shall be qualified and prepared to draft and render expert testimony, and be cross-examined, with respect to all of the issues addressed in this RFP and which are likely to arise in the proceeding.

Bidders shall have a working knowledge of Louisiana Public Service Commission rulemakings and jurisdictional issues and applicable Commission and federal regulations. Bidders shall also, at a minimum, have knowledge of:

- 1) The Commission's General Order No. 2 dated July 1, 1921 requiring all regulated public utilities to maintain tariffs on file with the Commission, as well as the "filed rate" doctrine.

- 2) The Commission's General Order dated July 1, 2019 (Docket No. R-24738) providing requirements for all jurisdictional electric utilities when filing tariffs, rate schedules and rate riders with the Commission.
- 3) The Commission's General Order dated March 12, 1974 prohibiting "promotional practices" by public utilities.
- 4) The Commission's General Order dated April 20, 2012 (Corrected) (Docket No. R-30021) regarding electric utilities filing Integrated Resource Plans.
- 5) The Commission's General Order dated March 7, 2019 (Docket No. R-34948) regarding participation of Aggregators of Retail Customers within the Commission's jurisdiction.
- 6) Midcontinent Independent System Operator ("MISO") tariffs, rules and planning processes, generally.
- 7) Electric utility ratemaking and general issues such as accounting standards and practices; and
- 8) General familiarity with Demand Response programs and products offered by public utilities, including the pending rulemaking in Docket No. R-35136.

V. Estimate of Costs

All proposals shall cover all aspects of the scope of representation above and include fees and costs associated with the entire engagement. All bidders responding to this RFP shall quote their rates on an hourly basis and submit a total budget, and shall separate professional fees from costs. However, bidders shall only be allowed to charge for actual hours of work performed and costs incurred. Once selected, a bidder's hourly rates and budget shall not be altered except by formal approval of the Commission, including the specific increase in budget, and corresponding hourly rate.

VI. Conflict of Interest

Bidders shall prominently and separately disclose current, as well as past employment, which could possibly result in a conflict of interest. In addition, bidders shall disclose matters in which they currently represent clients before the Commission.

VII. Billing Guidelines

As required by the November 10, 2014 General Order, all bills will be rendered monthly and shall specifically identify and describe all work performed, the person performing such work, the time and charge for such work, and shall additionally show the total amount billed to date and the

authorized original estimate. Bills will be rendered in strict accordance with the Commission's guidelines. Expenses shall also be separately disclosed with proof of such expenses attached.

Expenses, where applicable, shall be reimbursed at state authorized rates as specified in the Travel Policies and Procedures Memorandum issued by the State of Louisiana, Division of Administration in effect at the time such expenses are incurred ("Allowable Expenses"). Any expenses that exceed the Allowable Expenses shall be borne by the contract employee and shall not be reimbursed by either the Commission, or the correspondent utility, unless otherwise specified by the Commission.

VIII. Reservation of Rights

The LPSC reserves the right to reject any and all proposals, to amend and/or supplement this RFP at any time, and to consider proposals or modifications thereof received at any time prior to LPSC vote at Open Session, if such action is found by the LPSC to be in the public interest. Pursuant to the Contract Order regarding the selection of contract employees, the LPSC has the right to accept other than the lowest offer with regard to price. In addition, there is also no assurance, express or implied, that an award will necessarily be made pursuant to this RFP.

IX. Submission of Proposals

Interested parties should submit the **original (hard copy), 5 copies, and e-mail an electronic copy** of the proposal to:

Kathryn H. Bowman
Louisiana Public Service Commission
Office of the Executive Counsel
602 North Fifth Street (Galvez Building) (70802)
P.O. Box 91154
Baton Rouge, Louisiana 70821-9154
Phone: (225) 342-9888
Fax: (225) 342-5610
Email: kathryn.bowman@la.gov

To be considered, an original, five copies, and the electronic copy of the proposal must be received on or before **4:30 P.M. on Thursday January 16, 2020. Selection of consultants is anticipated to take place at the Commission's January 22, 2020 Business and Executive Session.** Information concerning billing procedures and the Commission's RFP policy may be obtained from the address listed above, or by calling (225) 342-9888.